

1 D. ANTHONY RODRIGUEZ (CA SBN 162587)
2 EVI K. SCHUELLER (CA SBN 237886)
3 MORRISON & FOERSTER LLP
4 425 Market Street
5 San Francisco, California 94105-2482
6 Telephone: 415.268.7000
7 Facsimile: 415.268.7522
8 Email: DRodriguez@mofo.com
9 Email: ESchuessler@mofo.com

10 MICHAEL B. FISCO (MN No. 175341)
11 ABBY E. WILKINSON (MN No. 0313981)
12 (*Pro hac applications pending*)
13 FAEGRE & BENSON LLP
14 90 South Seventh Street, Suite 2200
15 Minneapolis, Minnesota 55402-3901
16 Telephone: 612.766.7000
17 Facsimile: 612.766.1600
18 Email: mfisco@faegre.com
19 Email: awilkinson@faegre.com

20 Attorneys for Defendant U.S. BANK TRUST NATIONAL
21 ASSOCIATION,
22 in its capacity as Indenture Trustee

23 UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA

25 SAN JOSE DIVISION

26 FINISAR CORPORATION,

27 Plaintiff,

28 v.

U.S. BANK TRUST NATIONAL
ASSOCIATION, a national banking association,
not in its individual capacity, but solely in its
capacity as Indenture Trustee on behalf of all
Holders of Finisar Corporation's 5¼%
Convertible Subordinated Notes due 2008, 2½%
Convertible Senior Subordinated Notes due 2010,
and 2½% Convertible Subordinated Notes due
2010, and DOES 1 through 10, inclusive

Defendants.

Case No.

APPLICATION FOR ADMISSION
OF ATTORNEY MICHAEL B.
FISCO *PRO HAC VICE*

Pursuant to Civil L.R. 11-3, Michael B. Fisco, an active member in good standing of the
bar of Minnesota, hereby applies for admission to practice in the Northern District of California

1 on a *pro hac vice* basis representing defendant U.S. Bank Trust National Association, in its
2 capacity as Indenture Trustee ("U.S. Bank") in the above-entitled action.

3 In support of this application, I certify on oath that:

4 1. I am an active member in good standing of a United States Court or of the highest
5 court of another State or the District of Columbia, as indicated above;

6 2. I agree to abide by the Standards of Professional Conduct set forth in Civil Local
7 Rule 11-4, to comply with General Order No. 45, Electronic Case Filing, and to become familiar
8 with the Local Rules and the Alternative Dispute Resolution program of this Court; and,

9 3. An attorney who is a member of the bar of this Court in good standing and who
10 maintains an office within the State of California has been designated as co-counsel in the above-
11 entitled action. The name, address and telephone number of that attorney is: D. Anthony
12 Rodriguez, Morrison & Foerster LLP, 425 Market Street, San Francisco, California 94105,
13 (415) 268-7000.

14 4. On April 25, 2007, Judge Jeremy Fogel granted my *pro hac vice* application in
15 *Finisar Corp. v. U.S. Bank Trust National Assoc.*, No. C-07-02101, a case which defendant U.S.
16 Bank believes is related to this action.

17 I declare under penalty of perjury that the foregoing is true and correct.

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19 Dated: August 6, 2007

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Michael B. Fisco

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